

REMARKS

The Office Action is described in detail below. Amendments to the claims are supported by the specification as filed. No new matter has been added.

Claim Rejections - 35 USC 102

Claims 1-9 are rejected under 35 USC 35 USC 102(e) as being anticipated by Gonzalez (US 5,854,102).

Gonzalez fails to teach or suggest a method of making an electrically programmable memory element that comprises forming a conductive sidewall spacer and forming a programmable resistance material in electrical contact with a top surface of said conductive sidewall spacer. It is respectfully noted that material 161/162 is not a conductive sidewall spacer.

Gonzalez fails to teach or suggest all of the limitations of applicants' claims 1-9 (or new claims 10-15). The rejection under 35 USC 102(e) is overcome and applicants request it be removed.

Claims 1-9 are rejected under 35 USC 102(b) as being anticipated by Ovshinsky et al (US 5,414,271).

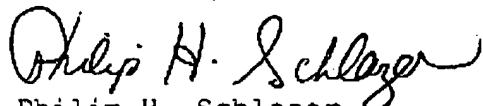
Ovshinsky fails to teach or suggest a method of making an electrically programmable memory element that comprises forming a conductive sidewall spacer and forming a programmable resistance material electrically coupled to a top surface of said conductive sidewall spacer. It is respectfully noted that material 32/34 is note a conductive sidewall spacer.

Ovshinsky fails to teach or suggest all of the limitations of applicants claims 1-9 (or new claims 10-15). The rejection under 354 USC 102(b) is overcome and applicants request it be removed.

**SUMMARY**

Claims 2-6 have been cancelled. In view of the above amendments and remarks, claims 1 and 7-15 are in condition of allowance. Applicant respectfully requests reconsideration, withdrawal of the outstanding rejections, and notifications of allowance. Should the Examiner have any questions or suggestions regarding the prosecution of this application, he is asked to contact applicant's representative at the telephone number listed below.

Respectfully submitted,



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